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9 **UNITED STATES DISTRICT COURT**  
10 **DISCTRICT COURT OF NEVADA**

11 DAWNYELL FLYNN an individual,

12 Plaintiffs,

13 vs.

14 STATE OF NEVADA ex rel. NEVADA  
DEPARTMENT OF CORRECTIONS, a public  
15 entity of the State of Nevada; DONALD BURSE,  
an individual; CHARLES DANIELS, director, in  
16 his official capacity; and Doe Nevada Department  
of Corrections Employees 1 – 10, in their  
17 individual and official capacity,

18 Defendant(s).  
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21  
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Case No.: 2:22-cv-01753-JAD-NJK

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO  
RESPOND TO DEFENDANTS'  
MOTION TO DISMISS AND TO  
FILE A DISCOVERY PLAN  
(Second Request)**

ECF Nos. 7, 9, 11

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**STIPULATION**  
**(SECOND REQUEST)**

Pursuant to Local Rules IA 6-1, 6-2, and 7-1, it is hereby stipulated and agreed by and among Defendants, Nevada Department of Corrections (NDOC) and Charles Daniels, and Plaintiff, Dawnyell Flynn, as follows:

1. Defendants, NDOC and Charles Daniels, removed this action from state court to federal court on October 19, 2022. *See* ECF No. 1.

2. Though served, Defendant Donald Burse has not made an appearance.

3. Defendants NDOC and Charles Daniels filed a Motion to Dismiss on December 30, 2022. *See* ECF No. 7.

4. The Court issued an order on December 30, 2022, ordering Plaintiff to respond by January 13, 2023, to the Motion to Dismiss.

5. The Court issued an order on December 30, 2022, setting a deadline of January 29, 2023, for a Discovery Plan/Schedule.

6. On January 12, 2023, counsel for Defendants NDOC and Charles Daniels and counsel for Plaintiff conferred regarding potential settlement in this matter.

7. On January 18, 2023, parties first Stipulation and Order to Extend Deadline to Respond to Defendants' Motion to Dismiss and to File a Discovery Plan was granted, extending Plaintiff's deadline to file an opposition to the Motion to Dismiss to March 16, 2023, and the deadline to file a Discovery Plan/Schedule to March 30, 2023. *See* ECF No. 11.

8. Since the extension, Plaintiffs have been in communication with Defendants about potential settlement, including providing examples of settlement agreements from other jurisdictions resolving issues similar to this matter.

9. Parties agree that a short extension of the current deadlines would provide Defendants sufficient time to evaluate the materials provided and draft a settlement proposal.

12. This is the parties' second request for an extension of a deadline in this case. The requested extension is not intended to cause any delay or to prejudice any party.

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IT IS SO ORDERED:

U.S. DISTRICT COURT JUDGE

DATED: 3/14/23 .